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RICHARD W. WIEKING  
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NORTHERN DISTRICT OF CALIFORNIA  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO HEADQUARTERS DIVISION

MARINE EXPRESS, INC., a corporation,  
Plaintiff,

v.

M/V OCEAN RANGER, her engines, tackle,  
machinery, etc.; KRISTEN MARINE S.A.  
(LIBERIA),

Defendants.

Case No. **03 - 2421**  
**COMPLAINT**

**SI**

Plaintiff Marine Express, Inc. alleges as follows:

1. This is an admiralty-maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure as more fully explained below.

2. Plaintiff is now and at all times herein material was a corporation duly organized and existing according to law with its principal place of business in Alameda, CA. Plaintiff is engaged in business as a ship repairer, ship cleaner, ship supplier, material man, and water taxi service.

3. The defendant vessel, M.V. OCEAN RANGER is a Maltese flag vessel of 19,146 gross tons, more or less and is now within the jurisdiction of this Honorable Court.

4. Defendants Kirsten Marine S.A.(Liberia) is a foreign corporation and the owner and/or manager of the defendant vessel.

1           5.       Between the period of May 4,2003 up to and including May 22, 2003, plaintiff  
2 performed certain work on the vessel in the nature of cleaning the defendant vessel to enable it  
3 to receive cargo, and supplied materials and services to each and every part of the vessel while  
4 said vessel was berthed at Anchorage 9 San Francisco Bay, CA. Each day that work was  
5 performed, plaintiff sent an invoice to defendant Kirsten Marine S.A. (Liberia ) reflecting the  
6 work done on that day and plaintiff has also sent invoices to defendant Kirsten Marine S.A.  
7 (Liberia) reflecting labor and materials supplied to the defendant vessel. The value of the  
8 services and materials provided related expenses are currently estimated to be \$250,000.

9           6.       Despite demands therefor, defendant Kirsten Marine S.A. (Liberia) has refused to  
10 make payment of the amounts set forth in the invoices.

11           7.       By reason of the above described work, labor and services, plaintiff has a  
12 maritime lien on the defendant vessel.

13           8.       By reason of the premises, the defendant vessel and the defendant Kirsten Marine  
14 S.A. (Liberia) were and are obligated to plaintiff in the currently estimated sum of \$250,000 no  
15 part of which has been paid.

16           WHEREFORE, plaintiff prays that:

17           1.       That process issue directing the United States Marshal to arrest the defendant  
18 vessel M.V. OCEAN RANGER, her engines, tackle, machinery,, etc., and hold the same  
19 pending further order of the Court and that all persons having an interest in said vessel be  
20 summoned to claim, appear and answer under oath the matters alleged in this complaint.

21           2.       That summons issue against defendant Kirsten Marine S.A. (Liberia)

22           3.       That the defendant vessel be condemned and sold to satisfy any judgment  
23 obtained by plaintiff.

24           4.       That plaintiff recover judgment against defendants in the amount proved at trial  
25 which amount is currently estimated to be \$250,000.

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1        5.        That plaintiff be awarded its costs of suit, arrest, process and all other costs that  
2 the Court shall deem just.

3        DATED: May 22, 2003.

4                    MARILYN RAIA  
5                    BULLIVANT HOUSER BAILEY PC

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7        By: Marilyn Raia  
8                    Marilyn Raia  
9                    Attorneys for Plaintiff  
10                    MARINE EXPRESS, INC.  
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**VERIFICATION**

I, the undersigned, declare:

That I am the Operations Manager of plaintiff, Marine Express, Inc., and I am authorized to make this verification on its behalf, and I make this verification for that reason; I have read the foregoing **COMPLAINT** and know the contents thereof; that the same is true of my own knowledge, except as to the matters which are therein stated on my information or belief, and as to those matters I believe it to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at San Francisco, California, on May 21, 2003.

  
Jeffery Lynn